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| FORM PTO-1390 (REV. 5-93) | | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | |
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | ATTORNEY'S DOCKET NUMBER VO-747 | |
| | | U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) <div style="font-size: 2em; font-weight: bold; text-align: center;">10/564222</div> | |
| INTERNATIONAL APPLICATION NO. PCT/EP2004/003940 | INTERNATIONAL FILING DATE 15 April 2004 | PRIORITY DATE CLAIMED 14 July 2003 | |
| TITLE OF INVENTION CONSTRUCTION MACHINE | | | |
| APPLICANT(S) FOR DO/EO/US Bernd HOLL et al. | | | |
| <p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND OR SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1). 4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input checked="" type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)), including a translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <p>Items 11. to 16. below concern other document(s) or information included:</p> <ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A FIRST preliminary amendment. (13 pages) <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 14. <input checked="" type="checkbox"/> A substitute specification. (attached to a red-ink marked-up version of the English language translation) 15. <input type="checkbox"/> A change of power of attorney and/or address letter. 16. <input checked="" type="checkbox"/> Other items or information: <ul style="list-style-type: none"> - Form PCT/IB/301 - Form PCT/IB/304 - Form PCT/IB/308 - Form PCT/ISA/210 (English language version, 3 pages) - Transmittal of Substitute Specification (2 pages) - Certificate of Mailing by Express Mail (2 pages) - Return Receipt Postcard | | | |

EXPRESS MAIL NO.: EV733141478US
 MAILED: 10 January 2006
 CUSTOMER NO.: 42419

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|---|--------------|--|------------|--|----------|--------------|--|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/564222 | | INTERNATIONAL APPLICATION NO. PCT/EP2004/003940 | | ATTORNEY'S DOCKET NUMBER VO-747 | | | |
| 17. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)): Basic National Filing Fee \$ 300.00 National Stage Search Fee \$ 500.00 National Stage Examination Fee \$ 200.00 | | | | CALCULATIONS | | PTO USE ONLY | |
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| | | | | | | | |
| ENTER APPROPRIATE BASIC FEE AMOUNT = | | | | \$ | 1,000.00 | | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | | | | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | | | |
| Total claims | *31 | 11 | X \$50.00 | \$ | 550.00 | | |
| Independent claims | *2 | 0 | X \$200.00 | \$ | 0.00 | | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$360.00 | | | | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ | 1,550.00 | | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | | | | | | |
| SUBTOTAL = | | | | \$ | 1,550.00 | | |
| Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | | | | |
| TOTAL NATIONAL FEE = | | | | \$ | 1,550.00 | | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | | | | |
| TOTAL FEES ENCLOSED = | | | | \$ | 1,550.00 | | |
| * Based upon entry of the First Preliminary Amendment. | | | | Amount to be: refunded | | \$ | |
| | | | | charged | | \$ | |
| a. <input checked="" type="checkbox"/> A check in the amount of \$1,550.00 to cover the above fee is enclosed. | | | | | | | |
| b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. | | | | | | | |
| c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-3550</u> . A duplicate copy of this sheet is enclosed. | | | | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status. | | | | | | | |
| SEND ALL CORRESPONDENCE TO: Pauley Petersen & Erickson 2800 West Higgins Road, Suite 365 Hoffman Estates, Illinois 60195 (847) 490-1400 Fax: (847) 490-1403 | | | | SIGNATURE  Douglas H. Pauley NAME 33,295 REGISTRATION NUMBER | | | |

10/564222

IAP20 Rec'd PCT/PTO 10 JAN 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Bernd HOLL
Günter HÄHN
Martin LENZ

Title: CONSTRUCTION MACHINE

Based Upon: PCT/EP2004/003940

Express Mail No.: EV733141478US

Date of Deposit: 10 January 2006

Customer No.: 42419

CERTIFICATE OF MAILING BY EXPRESS MAIL

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

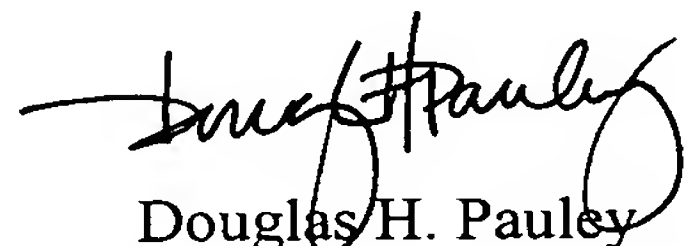
I hereby certify that the following requisites of the subject Patent Application are being deposited with the United States Postal Service as Express Mail Post Office to Addressee No. EV733141478US, on 10 January 2006, and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, together with the items listed below.

- Transmittal Letter (Form PTO-1390) (2 pages), in duplicate

Based Upon: PCT/EP2004/003940

- English language translation of the International Application, including a translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5))
- First Preliminary Amendment (13 pages)
- Transmittal of Substitute Specification (2 pages)
- Substitute Specification attached to a red ink marked-up copy of the English language translation
- Form PCT/IB/301
- Form PCT/IB/304
- Form PCT/IB/308
- English language copy of the International Search Report, Form PCT/ISA/210 (3 pages)
- A check in the amount of \$1,550.00 to cover the fees set forth in the Transmittal Letter
- Return Receipt Postcard

Respectfully submitted,



Douglas H. Pauley
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